

United States District Court
for
Middle District of Tennessee

Petition for Warrant for Offender Under Supervision

Name of Offender: Samuel B. Wright Case Number: 3:07-00010
Name of Sentencing Judicial Officer: Honorable William J. Haynes, Jr., Chief U.S. District Judge
Date of Original Sentence: August 10, 2009
Original Offense: 18 U.S.C. § 922(g)(1) Felon in Possession of a Firearm
Original Sentence: 60 months' custody and three years' supervised release
Type of Supervision: Supervised release Date Supervision Commenced: December 17, 2013
Assistant U.S. Attorney: Philip Wehby Defense Attorney: To be determined

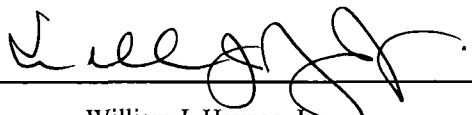
PETITIONING THE COURT

 To issue a Summons.
 X To issue a Warrant.

THE COURT ORDERS:

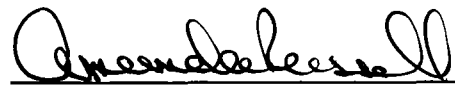
- ☐ No Action
☒ The Issuance of a Warrant:
 ☐ Sealed Pending Warrant Execution
 (cc: U.S. Probation and U.S. Marshal only)
☐ The Issuance of a Summons.
☐ Other

Considered this 30th day of January, 2014,
and made a part of the records in the above case.



William J. Haynes, Jr.
Chief U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct. Respectfully submitted,



Amanda M. Russell
U.S. Probation Officer

Place Nashville, TN
Date January 30, 2014

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. The defendant shall not commit another federal, state, or local crime.

On January 11, 2014, Mr. Wright was arrested in Nashville, Tennessee, and charged with Public Intoxication and Disorderly Conduct, both class C misdemeanors. Mr. Wright was at Lexus dealership, attempting to test drive a car, under the influence of alcohol. When asked by dealership employees to leave the property, Mr. Wright began using profanity and acting in a belligerent manner. The arrest affidavit is attached for Your Honor's review. Mr. Wright appeared in the Davidson County General Sessions Court on January 13, 2014. The Public Intoxication was dismissed and he pled guilty to the Disorderly Conduct. He was sentenced to two days' custody.

2. The defendant shall not commit another federal, state, or local crime.

On January 28, 2014, Mr. Wright was arrested in Nashville, Tennessee, and charged with Resisting Arrest, Assault of an Officer, and Assault - Offensive or Provocative Contact, all class B misdemeanors. Mr. Wright was approached by police officers who had responded to the scene of a domestic incident. He refused to comply with the officers verbal instructions, began yelling profanities, and a physical altercation ensued. During the altercation, Mr. Wright allegedly kicked an officer in the chest, and continued to resist arrest, even while in the processing area inside the Davidson County Jail. The arrest affidavits are attached for Your Honor's review. Mr. Wright is currently being held on \$20,000 bond and his trial date is scheduled for February 3, 2014.

Compliance with Supervision Conditions and Prior Interventions:

Samuel B. Wright is unemployed and living with his mother and other family members in Nashville, Tennessee. Mr. Wright began his three year term of supervised release on December 17, 2013, and is due to terminate supervision on December 16, 2016.

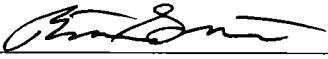
While at the federal halfway house, Mr. Wright violated the rules by drinking alcohol in excess and his final release date was extended. Once released from incarceration, the probation officer spoke with Mr. Wright at length regarding his past abuse of alcohol and encouraged him to focus on finding employment and refraining from the excessive use of alcohol. Mr. Wright was adamant that he enjoyed drinking alcohol and would continue to do so, but would not violate his supervision. At his sentencing, the Court imposed a special condition that Mr. Wright participate in a substance abuse treatment program recommended by the Bureau of Prisons. No treatment recommendations were received by BOP following his release. Should Mr. Wright continue on supervised release, it may be prudent to modify his conditions of supervised release to include a substance abuse treatment condition and/or an alcohol abstinence condition in order to address any future issues that may arise.

Update of Offender Characteristics:

There is no additional information relevant to this section that has not already been provided in this petition.

U.S. Probation Officer Recommendation:

It is respectfully recommended that a warrant be issued for Mr. Samuel B. Wright, so that he may appear before the Court to answer to the violation behavior outlined above. This matter has been reported to the U.S. Attorney's office, who concurs with the recommendation.

Approved: 
Britton Shelton
Supervisory U.S. Probation Officer

SENTENCING RECOMMENDATION
UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE
UNITED STATES V. SAMUEL B. WRIGHT, CASE NO. 3:07-00010

GRADE OF VIOLATION: C
CRIMINAL HISTORY: VI

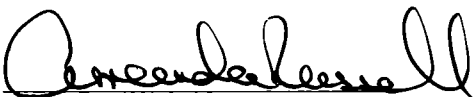
ORIGINAL OFFENSE DATE: POST APRIL 30, 2003 **PROTECT ACT PROVISIONS**

	<u>Statutory Provisions</u>	<u>Guideline Provisions</u>	<u>Recommended Sentence</u>
CUSTODY:	2 years (Class C Felony) 18 U.S.C. § 3583(e)(3)	8-14 months U.S.S.G. § 7B1.4(a)	No recommendation
SUPERVISED RELEASE:	36 months less any term of imprisonment 18 U.S.C. § 3583(h)	1-3 years U.S.S.G. § 5D1.2(a)(2)	No recommendation

18 U.S.C. § 3583(e)(3) allows for revocation of supervised release and requires the defendant to serve in prison all or part of the term of supervised release authorized by statute for the offense that resulted in such term of supervised release without credit for time previously served on post release supervision, if the Court finds by a preponderance of the evidence that the offender violated a condition of supervised release. When a term of supervised release is revoked and the defendant is required to serve a term of imprisonment that is less than the maximum term of imprisonment authorized under subsection (e)(3), the Court may include a requirement that the defendant be placed on a term of supervised release after imprisonment. The length of such a term of supervised release shall not exceed the term of supervised release authorized by statute for the offense that resulted in the original term of supervised release, less any term of imprisonment that was imposed upon revocation of supervised release, in accordance with 18 U.S.C. § 3583(h).

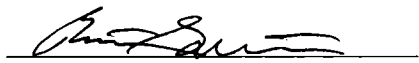
Guideline Policy Statements: Upon a finding of a Grade C violation, the Court may (A) revoke probation or supervised release; or (B) extend the term of probation or supervised release and/or modify the conditions of supervision. U.S.S.G. § 7B1.3(a)(2).

Respectfully Submitted,



Amanda M. Russell
U.S. Probation Officer

Approved:


Britton Shelton
Supervisory U.S. Probation Officer

COMPLAINT NUMBER: 2014-0038249

WARRANT NUMBER: GS661928

PROSECUTOR: Freddirico J Pye

DEFENDANT: Samuel Byron Wright

VICTIM:

STATE OF TENNESSEE, COUNTY OF DAVIDSON
AFFIDAVIT
PUBLIC INTOXICATION
T.C.A. 39-17-310

Personally appeared before me, the undersigned, [Select one] ☒ Commissioner, ☐ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that on 01/11/2014, in Davidson County, [Select one] ☐ he ☐ she [Select one] ☐ personally observed ☒ has probable cause to believe that the defendant named above did appear in a public place under the influence of a controlled substance or any other intoxicating substance to the degree that [Select one] ☐ the offender might have been endangered, ☐ there was endangerment to other persons or property, or ☒ the offender unreasonably annoyed people in the vicinity. *The probable cause is as follows:*

Police responded to 2010 Rosa L. Parks Blvd., Lexus dealership, where the defendant was reported to be acting disorderly towards customers and staff. Police arrived and observed the defendant using profanity and acting in a belligerent manner towards the staff. Police made contact with the defendant who continued to act unruly and use profanity in the presence of customers and staff. Police also smelled an alcoholic beverage coming from the defendant's person. Police then place the defendant under arrest without further incident for Public intoxication and disorderly conduct.

ESignature

Prosecutor: Freddirico J Pye 0000012627
200 James Robertson Parkway
Nashville, Tennessee 37201

ARREST WARRANT

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Public Intoxication C MISD, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 01/11/2014 17:24:06.

Carolyn Phipps Judge of the Metropolitan General Sessions Court/Commissioner

COMPLAINT NUMBER: 2014-0038249

WARRANT NUMBER: GS661929

PROSECUTOR: Freddirico J Pye

DEFENDANT: Samuel Byron Wright

STATE OF TENNESSEE, COUNTY OF DAVIDSON
AFFIDAVIT
DISORDERLY CONDUCT
T.C.A. 39-17-305

Personally appeared before me, the undersigned, [Select one] ☒ Commissioner, ___ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] ☒ he ___ she [Select one] ☒ X ___ personally observed ___ has probable cause to believe that the defendant named above on 01/11/2014, in Davidson County unlawfully and with intent to cause public annoyance or alarm did [Select one] ___ engage in fighting or in violent or threatening behavior; ___ refuse to obey an official order to disperse issued to maintain public safety in dangerous proximity to a fire, hazard or other emergency; ☒ X ___ create a hazardous or physically offensive condition by any act that served no legitimate purpose; or the defendant named above made unreasonable noise which prevented others from carrying on lawful activities; and that *the probable cause is as follows:*

Police responded to 2010 Rosa L. Parks Blvd., Lexus dealership, where the defendant was reported to be acting disorderly towards customers and staff. Police arrived and observed the defendant using profanity and acting in a belligerent manner towards the staff. Police made contact with the defendant who continued to act unruly and use profanity in the presence of customers and staff. Police also smelled an alcoholic beverage coming from the defendant's person. Police then place the defendant under arrest without further incident for Public intoxication and disorderly conduct.

E:Signature

Prosecutor: Freddirico J Pye 0000012627
200 James Robertson Parkway

Nashville, Tennessee 37201

ARREST WARRANT

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Disorderly Conduct C MISD, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 01/11/2014 17:25:00.

Carolyn Piphus
Judge of the Metropolitan General Sessions Court/Commissioner

COMPLAINT NUMBER: 2014-0100770

WARRANT NUMBER: GS663992

PROSECUTOR: Christopher B Stevick

DEFENDANT: Samuel Byron Wright

VICTIM:

STATE OF TENNESSEE, COUNTY OF DAVIDSON
AFFIDAVIT
RESISTING STOP, FRISK, HALT, ARREST, OR SEARCH
T.C.A. 39-16-602

Personally appeared before me, the undersigned, [Select one] ☒ Commissioner, ☐ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] ☒ he ☐ she [Select one] ☒ personally observed ☐ has probable cause to believe that the defendant named above on 01/28/2014, in Davidson County, did unlawfully and intentionally prevent or obstruct a person known to the defendant to be a law enforcement officer or anyone acting in a law enforcement officer's presence and at such officer's direction from effecting a [Select one] ☐ stop ☒ frisk ☐ search ☐ halt or ☐ arrest of any person by the use of force against said law enforcement officer or another. *The probable cause is as follows:*

The Defendant was asked to speak with officers outside and away from possible victims of a domestic incident that PD had responded to. The Defendant was walking towards the front door when he turned around to proceed back to his original location in the residence and yelled "Bitch" at the officer who was now in front of him. While yelling profanities, the Defendant reached towards his jacket pocket. Officers on scene checked the Defendant's hands for the safety of all parties present when the Defendant jerked away and bladed his body; indicating he was preparing to assault. Officers re-secured the Defendant's arms, but the Defendant refused to comply with verbal commands to place his arms behind his back. Officers had to bring the Defendant to the ground to secure him after repeated attempts at physical resistance by the Defendant.

ESignature

Prosecutor: Christopher B Stevick 0000012511
200 James Robertson Parkway

Nashville, Tennessee 37201

ARREST WARRANT

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Resisting Stop, Frisk, Halt, Arrest, or Search B MISD, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 01/28/2014 20:36:23.

Thomas Edward Nelson
Judge of the Metropolitan General Sessions Court/Commissioner

COMPLAINT NUMBER: 2014-0100770

WARRANT NUMBER: GS663993

PROSECUTOR: Christopher B Stevick

DEFENDANT: Samuel Byron Wright

VICTIM:

STATE OF TENNESSEE, COUNTY OF DAVIDSON

AFFIDAVIT

ASSAULT

T.C.A. 39-13-101

Assault on Officer

Personally appeared before me, the undersigned [Select one] ☒ Commissioner ___ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] ☒ he ___ she [Select one] ☒ personally observed ___ has probable cause to believe that the defendant named above on 01/28/2014 in Davidson County, did unlawfully [Select one] ___ intentionally, knowingly, or recklessly cause bodily injury to the victim named above OR ___ intentionally or knowingly cause the victim named above to reasonably fear imminent bodily injury; OR ☒ intentionally or knowingly cause physical contact with the victim named above and a reasonable person would regard the contact as extremely offensive or provocative and *the probable cause is as follows:*

While being taken into custody, the Defendant refused to be placed in a marked patrol car by responding Officers. The Defendant complied only as for as seating himself in the back seat before posting both feet on the ground and refusing to bring them in the vehicle. PD attempted to secure the suspects ankles and place them into patrol vehicle when the Defenant jerked his feet away, brought them to his chest and kicked one Officer in the chest.

Before transport to booking, the Defendant told additional responding officers that he, indeed, had knowingly kicked the Victim in the chest.

ESignature

Prosecutor: Christopher B Stevick 0000012511
200 James Robertson Parkway

Nashville, Tennessee 37201

A R R E S T W A R R A N T

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Assault, Officer - Offensive Contact B MISD, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 01/28/2014 20:37:26

Thomas Edward Nelson
Judge of the Metropolitan General Sessions Court/Commissioner

COMPLAINT NUMBER: 2014-0100770

WARRANT NUMBER: GS663994

PROSECUTOR: Sean Glaze

DEFENDANT: Samuel Byron Wright

VICTIM: Sean Glaze

STATE OF TENNESSEE, COUNTY OF DAVIDSON

AFFIDAVIT

ASSAULT

T.C.A. 39-13-101

Personally appeared before me, the undersigned [Select one] ☒ Commissioner ☐ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] ☒ he ☐ she [Select one] ☐ personally observed ☒ has probable cause to believe that the defendant named above on 01/28/2014 in Davidson County, did unlawfully [Select one] ☐ intentionally, knowingly, or recklessly cause bodily injury to the victim named above OR ☐ intentionally or knowingly cause the victim named above to reasonably fear imminent bodily injury; OR ☒ intentionally or knowingly cause physical contact with the victim named above and a reasonable person would regard the contact as extremely offensive or provocative and *the probable cause is as follows:*

While being in-processed at DCSO booking, the Defendant was given the verbal command to look straight ahead. The Defendant responded by telling the Victim "Fuck you," then spitting in his face.

ESignature

Prosecutor: Sean Glaze
448 2nd Avenue N.

Nashville, Tennessee 37201
615 862-8269 300

ARREST WARRANT

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Assault, Offensive or Provocative Contact B MISD, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 01/28/2014 20:38:39

Thomas Edward Nelson
Judge of the Metropolitan General Sessions Court/Commissioner

VIOLATION WORKSHEET

1. **Defendant** Samuel B Wright
2. **Docket Number** (Year-Sequence-Defendant No.) 0650 3:07CR00010 - 1
3. **District/Office** Middle District of Tennessee
4. **Original Sentence Date** 8 / 10 / 2009
month day year
5. **Original District/Office** _____
(if different than above)
6. **Original Docket Number** (Year-Sequence-Defendant No.) _____
7. **List each violation and determine the applicable grade (see §7B1.1):**

<u>Violation(s)</u>	<u>Grade</u>
Shall not commit another federal, state, or local crime.	C
Shall not commit another federal, state, or local crime.	C
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

8. **Most Serious Grade of Violation** (see §7B1.1(b))

C

9. **Criminal History Category** (see §7B1.4(a))

VI

10. **Range of Imprisonment** (see §7B1.4(a))

8 - 14 months

11. **Sentencing Options for Grade B and C Violations Only** (*Check the appropriate box*):

- ☐ (a) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is at least one month but not more than six months, §7B1.3(c)(1) provides sentencing options to imprisonment.
- ☒ (b) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than six months but not more than ten months, §7B1.3(c)(2) provides sentencing options to imprisonment.
- ☐ (c) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

Defendant Samuel B Wright

12. Unsatisfied Conditions of Original Sentence

List any restitution, fine, community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation (see §7B1.3(d)):

Restitution(\$)	_____	Community Confinement	_____
Fine(\$)	_____	Home Detention	_____
Other	_____	Intermittent Confinement	_____

13. Supervised Release

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of §§5D1.1-1.3 (see §§7B1.3(g)(1)).

Term: _____ to _____ years

If supervised release is revoked and the term of imprisonment imposed is less than the maximum term of imprisonment imposable upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment (see 18 U.S.C. §3583(e) and §7B1.3(g)(2)).

Period of supervised release to be served following release from _____ imprisonment:

14. Departure

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of Imprisonment:

15. Official Detention Adjustment (see §7B1.3(e)): _____ months _____ days